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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 _____)
16 IN RE: BEXTRA AND CELEBREX)
MARKETING SALES PRACTICES AND)
17 PRODUCT LIABILITY LITIGATION)
18 _____)

Docket No.: 3:06-CV-1104

MDL NO. 1699

District Judge: Charles R. Breyer

19 Earl Darby, Jr.)
20)

Plaintiff,)

21 vs.)

22 Pfizer, Inc., et al.)
23)

Defendants.)
24 _____)

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

25 Come now the Plaintiff, EARL DARBY, JR. and Defendants, by and through the
26 undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby
27 stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys'
28 fees and costs.

1 DATED: April 3, 2009

By: _____

Tom Dutton

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Attorney for Plaintiff

7 DATED: Sept. 28, 2009

By: _____

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Defendants' Liaison Counsel

15 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
16 **IT IS SO ORDERED.**

17 Dated: 9/30/09

Hon. Charles R. Breyer
United States District Court

